

WRITTEN DECISION
OF THE INTERNATIONAL

International file reference

EXAMINATION AUTHORITY (SUPPLEMENTARY SHEET) PCT/EP2004/050617

IAP20 Rec'd PCT/PTO 15 DEC 2005

To point I

The application does meet the requirements of Article 6 PCT, because claims 4-6, 8-11, 13 and 14 are not clear.

The expressions used in claims 4-6, 8-11 and 13 are vague and unclear and keep the reader in the dark about the meaning of the relevant technical features. This results in the fact that the definition of the object of these claims is not clear (Article 6 PCT). The faults are as follows:

"..and/or.." is used twice in claim 5 and five times in claim 10 whereby the intention to protect is defined in an unclear manner;

"...preferably..." in claims 4-6, 8 and 13 has no restricting effect whatsoever and is therefore unclear;

"...in particular..." in claims 2, 6, 9 and 11 has no restricting effect whatsoever and is therefore unclear; exclusions such as in claim 6 ("...in another way..."), claim 10 ("..without processors..." and claim 13 ("...without a preceding analysis...") keep the reader in the dark about the object of the intention to protect.

The independent claim 11 (lines 26-27) refers to the ".....sequence...", which has to be interpreted as the "sub-sequence". "Sequence" has not been defined in the preceding part of claim 11.

The independent claim 14 refers to a signal sequence, the characteristics of which are defined by the method for generating this signal sequence. In this way, the characteristics of the signal sequence have not been defined clearly and claim 14 is unclear (Article 6 PCT).

Re. point V

Reasoned statement with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statements

1. Summary

Reference is made to the following documents:

D1: EP-A-0 865 026 (GRUNDIG AG) 16 September 1998
(1998-09-16)

D2: US-B-6 252 9191 (LIN TAO) 26 June 2001 (2001-06-26)

D3: US-A-5 687 240 (YOSHIDA AKIRA ET AL) 11 November 1997
(1997-11-11)

This application does not meet the requirements of Article 33(1) PCT, because the object of claims 11 and 14 in the sense

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of Article 33(2) PCT is not novel.

This application does not meet the requirements of Article 33(1) PCT, because the object of claims 1-10, 12 and 13 is not based on the inventive action in the sense of Article 33(3).

2. Independent claims 11 and 14 are not novel

Document D1 discloses (the references in brackets refer to this document) the following with respect to claim 11:

Method for the temporal compression or expansion of a sequence of samples, in particular in a device in accordance with one of the preceding claims,
with the procedural steps carried out without restriction by the given sequence (page 2, line 47 - page 3, line 33, "...α .. accelerated ...slowed down.. "):

Specifying a working cycle (L+N), which contains a predetermined number of working steps (k),

Specifying a sub-sequence of the sequence of samples for a working cycle,

within a working cycle, "generate" a filtered or an unfiltered sub-sequence ("..staggered by L samples..") which is time-staggered to the sub-sequence of samples ("αL"),

within a working cycle, "merge" ("overlap-add")
on the one hand, the sub-sequence of samples or a filtered sub-sequence of samples that have been generated from it
and

on the other hand, the time-staggered filtered or unfiltered sub-sequence

with a gradual transition of the samples of the one sequence to the samples of the other sequence (page 3, lines 1-24).

Therefore, claim 11 is not novel (Article 33(2) PCT). The same reason also applies to the independent claim 14, which refers to a sequence of samples. Claim 14 is not novel (Article 33(2) PCT).

3. Claims 1-10, 12 and 13 are not inventive

The reason as in § 2 also applies to the subordinate independent device claim 1, which is therefore not based on an inventive action (Article 33(3) PCT).

The dependent claims 2-10, 12 and 13 do not contain any characteristics, which in combination with the characteristics of any claim to which they refer, meet the requirements of the

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PCT with reference to the inventive action, see the documents
D2 and D3 and the corresponding passages of the text given in
the report by the examination authorities.

4. Miscellaneous

4.1 It cannot be identified which object of the application can form the basis of a claim in accordance with the invention. Should the applicant make changes to the application, he is requested to take into account the above-mentioned objections as well as the following points.

4.2 The independent claims have not been formulated in the two-part form in accordance with rule 6.3 b) PCT. However, in this case, it does seem to be advantageous. Therefore, the features well known in connection with one another from the prior art (document D1) belong in the preamble (rule 6.3 b) i) PCT) and the remaining features in the characterizing clause (rule 6.3 b) ii) PCT). The description should be reconciled with the newly submitted claims.

4.3 In order to make possible a test of the adapted application with regard to the requirements of Article 34(2)(b) PCT, the applicant is requested to clearly mark the changes as well as to indicate the basis for the changes in the originally submitted application (rule 66.8(a) PCT).

4.4 In order to make possible a quick test with regard to the inventive action, the applicant is in addition requested to indicate clearly which technical problem is solved by the object of the new independent claims.